

WASHINGTON COUNTY COMMISSION
MEETING MINUTES
JUNE 4, 2013

The Regular Meeting of the Board of the Washington County Commission was called to order by Chairman James J. Eardley at 4:00 p.m. on June 4, 2013, in the Commission Chambers, Washington County Administration Building, St. George, Utah. Those in attendance were Chairman James J. Eardley, Commissioner Alan D. Gardner, Commissioner Dennis Drake, Administrator Dean Cox, Deputy County Attorney Eric Clarke, and Deputy County Clerk Christine S. Hall.

Commissioner Drake led the Pledge of Allegiance.

AGENDA

CONSENT AGENDA:

The Consent Agenda is a means of expediting routine matters which come before the Commission for approval. The Consent Portion of the agenda is approved by one (1) non-debatable motion. If any Commissioner wishes to remove an item from the Consent Portion of the agenda, then that item becomes the first order of business on the Regular Agenda.

- Consideration of Auditor-Approved Claims for Payment for May 22, 2013, through June 4, 2013
- Consideration of Regular Commission Meeting Minutes of March 19, 2013, and April 16, 2013
- Consideration of Administrative Adjustments: Real Property (attached)
- Consideration of Administrative Adjustments: Personal Property (attached)
- Consideration of Applications for Property Tax Abatement:
Betty Douglas, A/N 0364292; Thu DeRouin, S/N 1-DELC-1-1; James Edgeton, S/N SG-TONQ-2-30
- Consideration of Applications for Settlement or Deferral of Property Taxes:
Jerry Eves, Various S/N; Green Acres Trust, S/N AV-2178-A-1-A; Jerry Spilsbury, Various S/N; Bill Jack/Bud Scow, S/N H-3-1-33-3357; J. B. Farley, S/N H-DSHR-170; Justin Crosby, W/N W-OKC-4; Jesse Russell, S/N SG-RBE-A-4-D; SCTH Equity, S/N SC-6-2-8-2351, SC-6-2-8-237, and SC-6-2-8-246; John Strasser, S/N AV-1358-D and AV-1366-D; Samuel & Azalia Stallings, S/N S-138-A-2; Fox Hunt Builders, S/N 96-1; JK Black Diamond LC, S/N PVR-A-G-18; Crimson Ridge/Travis Black, S/N H-4-1-23-131; BJRP/Ray Peterson, S/N W-5-2-15-111; Shawna & Thomas Carter, S/N T-SDE-2 and T-7-A-4; Craig Laker, S/N W-PVE-6-117; Vincent & Danyale Blackmore, Various S/N.

MOTION: Motion by Commissioner Drake to Approve the Consent Agenda, as presented. Motion seconded by Commissioner Gardner and carried

by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

REGULAR AGENDA ITEMS FOR CONSIDERATION:

CONSIDERATION OF RESOLUTIONS NOS. R-2013-1721, R-2013-1722, R-2013-1723, R-2013-1724, R-2013-1725, R-2013-1726, R-2013-1727, R-2013-1728, R-2013-1729, AND R-2013-1732, RESOLUTIONS EXPRESSING GRATITUDE TO ROLAND HALL, FENTON BOWLER, DALLAS ADAIR, MARVIN JONES, JACK HOLT, MILTON HALL, DEAN TERRY, LARRY BALLARD, RALPH MCARTHUR, AND NED SULLIVAN FOR GIVING THEIR TIME AND EFFORTS TO ASSIST IN KEEPING ROADS IN WASHINGTON COUNTY OPEN FOR PUBLIC USE

Deputy Washington County Attorney Eric Clarke explained that one year ago, Washington County and several other counties in Utah filed lawsuits against the United States Government in order to guarantee rights-of-way across land held by the Bureau of Land Management (BLM). Unfortunately, over the years, the BLM has become more and more restrictive about access to historic roads, which are public rights-of-way. In the lawsuit, the burden of proof falls on the County to prove that those roads were used regularly by the public prior to the 1970s.

The County Attorney's Office was able to locate ten (10) members of the community who had used many of the roads during that time frame, and those individuals agreed to extensive depositions and to accompany the attorneys as they traveled the roads. On behalf of the Attorney's Office, Mr. Clarke expressed gratitude to these gentlemen for their time and service in this important project.

Commissioner Gardner agreed, and said that Kane County has accomplished quite a bit in a similar lawsuit decided earlier this year.

Four of the recipients were in attendance to receive their signed parchment resolutions: Dean Terry, Jack Holt, Larry Ballard, and Roland Hall. The other resolutions will be mailed to the recipients.

MOTION: Motion by Commissioner Gardner to Adopt Resolutions Nos. R-2013-1721 R-2013-1722, R-2013-1723, R-2013-1724, R-2013-1725, R-2013-1726, R-2013-1727, R-2013-1728, R-2013-1729, And R-2013-1732, Resolutions Expressing Gratitude To Roland Hall, Fenton Bowler, Dallas Adair, Marvin Jones, Jack Holt, Milton Hall, Dean Terry, Larry Ballard, Ralph McArthur, And Ned Sullivan For Giving Their Time And Efforts To Assist In Keeping Roads In Washington County Open For Public Use. Motion seconded by Commissioner Drake and

carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

VOLUNTEER OF THE MONTH: CAROL HOLLOWELL

No presentations were made today.

PRESENTATION: SERVICE AWARDS TO SEARCH AND RESCUE VOLUNTEERS GLENN COTTAM AND JASON CURTIS / CORY PULSIPHER

Washington County Sheriff Cory Pulsipher presented plaques to Search and Rescue volunteers Glenn Cottam and Jason Curtis for their distinguished careers of service to their community. Mr. Cottam has been a volunteer for nearly forty (40) years, and Jason Curtis for twenty (20) years.

PURCHASE REQUESTS / MARK BLANCH

None.

CONSIDERATION OF RESOLUTION NO. R-2013-1733, A RESOLUTION APPROVING AN AMENDMENT TO THE PERIMETER SECURITY AND BAILIFF CONTRACT BETWEEN THE FIFTH DISTRICT COURT OF THE STATE OF UTAH AND WASHINGTON COUNTY

Chairman Eardley said that this is a contract that is renewed annually. It provides for bailiff and perimeter security services to the Fifth District Court.

MOTION: Motion by Commissioner Gardner to Adopt Resolution No. R-2013-1733, A Resolution Approving An Amendment To The Perimeter Security And Bailiff Contract between the Fifth District Court of the State Of Utah And Washington County. Motion seconded by Commissioner Drake and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

CONSIDERATION OF RESOLUTION NO. R-2013-1734, A RESOLUTION APPROVING AND ACCEPTING THE CONVENTION & TOURISM OFFICE OF WASHINGTON COUNTY'S PROPOSED PAYMENT OF TWENTY THOUSAND DOLLARS ANNUALLY TO THE SOUTHERN UTAH SHOOTING SPORTS PARK SPECIAL SERVICE DISTRICT FOR THE IMPROVEMENT AND MANAGEMENT OF THE SHOOTING SPORTS PARK

Commissioner Drake said that this money comes not from taxpayers but from a revenue source arising out of tourism. He encouraged people to attend the Shooting Sports Park

and enjoy the various venues for shooting. Between three and four thousand (3,000-4,000) people visit the Park annually, bringing welcome revenue to the County.

MOTION: Motion by Commissioner Drake to Adopt Resolution No. R-2013-1734, A Resolution Approving And Accepting The Convention & Tourism Office Of Washington County's Proposed Payment Of Twenty Thousand Dollars Annually To The Southern Utah Shooting Sports Park Special Service District For The Improvement And Management Of The Shooting Sports Park. Motion seconded by Commissioner Gardner and carried by unanimous vote, with Commissioners Eardley, Gardner, and Drake voting aye.

COMMISSIONERS' REPORT

Commissioner Gardner mentioned HB 148, which was passed a little over a year ago, concerning the transfer of public lands. The American Lands Council expanded that effort, and this year, legislation was passed in five (5) states, calling for this transfer. If one looks at the states that are having trouble funding education, just about every one of them is a Western public-lands state that is unable to utilize its natural resources. For example, Utah and North Dakota became states within five (5) years of each other, with virtually the same enabling act, which stated that the land would be transferred to the states from the federal government. However, sixty-seven percent (67%) of Utah's land is still federally owned; whereas one percent (1%) of North Dakota's is federally owned. In North Dakota, seventy-nine (79) oil rigs are drilling right now. If Utah were able to develop its natural resources, it could become energy-independent, fund education, and provide additional jobs for its citizens.

PUBLIC WORKS OR ROAD BUSINESS

Washington County Public Works Director Ron Whitehead said that Federal Highways has completed its work on Highway 91. The Road Department will be moving into that area to finish chip sealing the road. He wanted to alert the public that there will be traffic delays on that road on June 25 and 26. The striping will be next, and that road will be complete.

In about a month the Road Department will be working on some subdivision roads in the New Harmony area, and the week after that in Pine Valley.

Request A Closed Session

None.

There being nothing further to come before the Commission, the meeting was adjourned at 4:27 p.m.

CHRISTINE S. HALL
DEPUTY CLERK

JAMES J. EARDLEY
CHAIRMAN